



DEPARTMENT OF DEFENSE
UNITED STATES SOUTHERN COMMAND
9301 NW 33RD STREET
DORAL, FL 33172

REPLY TO
ATTENTION OF

September 28, 2018

Office of the Staff Judge Advocate,
Office of Freedom of Information Act

Ref: SC 14-008-S

MuckRock News
c/o Dr. Jeffrey Kaye
DEPT MR.8636
PO Box 55819
Boston, MA 02205-5819

Dear Dr. Kaye:

This is our Agency's final response to the Freedom of Information Act (FOIA) request dated October 23, 2013. In your request you sought documents from September 11, 2001 thru February 19, 2002 related to activities by the Mortuary Affairs department at Guantanamo.

In accordance with our initial final response of Wednesday, February 25, 2015, our agency informed you that a search was conducted with negative results and that your FOIA request was referred to the Navy Bureau of Medicine for action; however, you challenged our no records response and a second search for information was conducted.

During the second search 9 responsive documents totaling 26 pages were located. The preliminary review of the documents determined that the retrieved documents contain equities from the Joint Staff; thus we referred the documents for their review and reply back to our office.

Upon completion of the line-by-line review, we make the following determination(s):

a. Our agency objects to release of the redacted portions of information under 5 U.S.C. § 552 (b)(1), as it contains information currently and properly classified in accordance with Executive Order 13526, Section 1.4 (a), which pertains to military plans, weapons systems, or operations.

Release of certain information is denied under 5 U.S.C. § 552 (b)(3), 10 U.S.C. § 130b, which authorized protection of names of personnel in overseas, sensitive or routinely deployable units. Thus, this information could not be released pursuant to 5 U.S.C. § (b)(3). Release of certain information would constitute a clearly unwarranted invasion of the personal privacy of individuals and is accordingly not released under 5 U.S.C. § (b)(6). Furthermore, release of certain information would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; therefore, release of this information is denied pursuant to 5 U.S.C. § 552 (b)(7)(E). Redactions of information in these categories were made and marked in the documents. Denial of the redacted information was made pursuant to 5 U.S.C. § 552 (b)(3); (b)(6) and (b) (7)(E) by the former Staff Judge Advocate, Joint Task Force Guantanamo Bay, Commander Joseph A. Boveri, U.S. Navy; MAJOR Irvin W. Jackson, U.S. Army, Chief, Support and Services Branch, and MAJOR Rodney Hanking, U.S. Army, Office of the Command Surgeon, United States Southern Command.

If you are not satisfied with this action, you have the right to appeal to the appellate authority, Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense, by writing directly

Mortuary Affairs and Advance Directives		Page: 1 of 2	(b)(3):10 USC §130b,(b)(6)
Department: JTF-160 MEDICAL		Effective: 4 FEB 02	
Distribution: JTF-160 Surgeon, Naval Hospital PM, Fleet Hospital, Camp X-Ray			
Approved By:	(b)(3):10 USC §130b,(b)(6)	Revised:	
Sig:			

Ref: (a) NAVMEDCOMINST 5360.1
(b) NAVHOSPGTMOINST 6320.24B
(c) OPNAVINST 3461.6

Background: As a consequence of disease, battle injury, and non-battle injury it is assumed that some loss of life may occur among detainees.

Policy: The processing of remains shall follow certain requirements as outlined in references (a) and (c). Human remains of detainees shall be handled humanely in accordance with the Geneva Convention protocols and other internationally accepted practices. Per reference (a), detainees shall receive at a minimum the following services:

- PNOK notification via Department of State
- provision of casket, clothing, and internment at a cemetery designated by detention authorities
- when possible, rites congruent with their religion.

Procedure:

Death: The following steps shall be taken by camp personnel or hospital staff in the event of a detainee death.

1. Contact the Camp Medical Officer, the Command Mortician and other designated personnel in the chain of command as appropriate.
2. The processing of detainee remains shall be handled by the Command Mortician and Head, Patient Administration including the preparation of all associated paperwork such as death certificates, reports to higher authorities, and decedent records keeping.
3. The Command Mortician shall ensure that:
 - Remains have been identified.
 - Remains shall be wrapped in a sheet and placed in a body bag for transfer to the morgue in an appropriate vehicle.
 - He/she or a designated Patient Administration representative along with camp personnel shall escort remains to morgue for placement in remains refrigerator.
 - Disposition of remains shall be carried out in accordance with the above referenced instruction and/or as directed by cognizant authorities.

Advance Directives: Detainees have the right to self-determination and the opportunity to request advance directives or living wills. Given the inherent difficulty in next of kin notification, no health care surrogates will be chosen. The JTF Commander will act as the health care surrogate for all detainees under advisement of the JTF Surgeon and JTF Staff Judge

1. Who will notify SOUTHCOM of a detainee death?
SOUTHCOM will be notified from the JTF160 JOC via telephone, to be followed up by an OPREP3.
2. Who will collect the personal information on the detainee, such as country of citizenship, name, etc?
JTF160/J2 will provide.
3. What are the procedures for handling personal effects of the deceased?
Talk to JAG - same as US decedents - 042019Z FEB 02 MSG
4. Who coordinates the post death medical examination and the autopsy, if required?
042019Z FEB 02 MSG - dependent on death type -
5. Who prepares the death certificate?
Dependent on cause of death - if
6. Who stores the decedent while awaiting disposition from DOS?
7. Who prepares the body for burial in Muslim tradition?
8. What are the procedures for burial if the decedent is to be buried at
GTMO?
9. Are there established procedures for JTF-160 and JTF-170 personnel that may die? Will JTF-160 handle potential JTF-170 mortuary affairs?
10. Are there procedures for handling media and the Red Cross in the event of a death?
11. If there is a mass casualty, are there procedures to establish collection sites and additional storage facilities?

From: (b)(6)
Sent: Wednesday, June 12, 2002 9:38 AM
To: (b)(6)
Subject: FW: J4A00071-02 (Mortuary Affairs)

CLASSIFICATION: UNCLASSIFIED

-----Original Message-----

From: (b)(6)
Sent: Monday, February 04, 2002 09:36
To: (b)(6)
Cc: CAC LRC 1 (H); CAC LRC 2 (H); CAC LRC 3 (H); CAC LRC 4 (H); CAC LRC 5 (H); CAC LRC 6 (H); (b)(6)
Subject: FW: J4A00071-02 (Mortuary Affairs)

CLASSIFICATION: UNCLASSIFIED

-----Original Message-----

From: (b)(6)
Sent: Friday, February 01, 2002 4:27 PM
To: (b)(6)
Subject: FW: J4A00071-02 (Mortuary Affairs)

FYI...

R/

(b)(6)

-----Original Message-----

From: (b)(6) JCS J4
[mailto:(b)(6)]
<mailto:[mailto:(b)(6)]>
Sent: Friday, February 01, 2002 3:55 PM
To: (b)(6)
Cc: (b)(6) JCS J4;
(b)(6) JCS J4
Subject: FW: J4A00071-02 (Mortuary Affairs)

CLASSIFICATION: UNCLASSIFIED

(b)(6) My AO, (b)(6) will follow this with a message that incorporates the comments of all who have reviewed the document based on our staffing. Two replies are substantive in nature and I didn't want to have you waiting needlessly to act upon them.

The general consensus is the plan is executable and will support your operations. Take a good look please at the legal review here under and recommend that you incorporate these comments immediately. I will send another e-mail with the CJMAO (Combined and Joint Mortuary Affairs Office) consolidated comments.

As I mentioned this morning, we're not going to "approve" the plan, though we believe it is on track and will benefit from these inclusions.

PS. Have spoken to VADM Holder briefly on the plan, actions, etc..... he is read in.

VR (b)(6)

GC).

>

>

> 3. The Death Certificate should include at least the following
> information:

>

> * the identify of the detainee, including full name, serial or

other

> identifying number, date of birth, fingerprints, if applicable and/or
> available.

> * date and place of death

> * date and place of burial

> * and all particulars necessary to identify the graves

>

> 4. Language needs to be changed to either provide an autopsy for all
> detainees' deaths or sufficient medical examination of the body with a
> view to confirming the cause of death. This is important for two
> reasons--1) want to provide information on cause of death to next of

kin,

> 2) defend USG against any allegation that the cause of death was

pursuant

> to misconduct by US forces.

> 5. In the event that a detainee is buried in GTMO, the location of

the

> grave will be recorded with the Graves Registration Service.

>

> 6.

(b)(5),(b)(7)(E)

>

>

> 7. The current detainee mortuary affairs concerns SOUTHCOM only.

> However, the principles contained in the guidance should be looked at

by

> CENTCOM and a determination made whether they apply to the detainees

held

> by US forces in Afghanistan. This may be especially important if we

> continue to hold detainees in Afghanistan because there is

insufficient

> capacity in GTMO.

>

S. PERSONNEL AND DETAINEES//BT
#1454

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IN JOINT OPERATIONS. REF E IS JOINT PUB 4-0, DOCTRINE FOR LOGISTIC SUPPORT OF JOINT OPERATIONS. REF F IS USSOUTHCOM REGULATION 638-1, MORTUARY AFFAIRS PROGRAM. REF G IS ARMY REGULATION 638-2, CARE AND DISPOSITION OF REMAINS AND DISPOSITION OF PERSONAL EFFECTS.//

NARR/(U) THIS MESSAGE OUTLINES THE USCINCSO CONCEPT FOR MORTUARY AFFAIRS IN SUPPORT OF OPERATION ENDURING FREEDOM (OEF) IN THE USCINCSO AOR.//

MSGTYP/GENADMIN/USCINCSO//

TIMEZONE/Z//

GENTEXT/SITUATION/

1. (U) IN RESPONSE TO REFERENCES (A) AND (B) THE FOLLOWING CONCEPT FOR MORTUARY AFFAIRS IS SUBMITTED TO THE OFFICE OF FAMILY POLICY, ROOM 1B 700, ATTN MR. MARK WARD IN OSD REQUESTING CONCURRENCE.

2. (U) SITUATION. MORTUARY SERVICES MAY BE REQUIRED FOR U.S. MILITARY, CIVILIAN, AND THE DETAINEE POPULATION AT NAVBASE GTMO.

2.A. (U) GENERAL

2.A.1. (U) PURPOSE. PROVIDE USCINCSO CONCEPT FOR MORTUARY AFFAIRS AND CURRENT/CONCURRENT DEATH PROGRAM IN SUPPORT OF ENDURING FREEDOM OPERATIONS (OEF) IN USCINCSO AOR.

2.B. (U) POLICY

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2.B.1. (U) U.S. REMAINS (MILITARY AND NON-MILITARY)

2.B.1.A. (U) ALL US REMAINS WILL BE RETURNED TO CONUS (DOVER AFB) AS SOON AS POSSIBLE AND PROCESSED IAW REF G.

2.B.1.B. (U) A PROGRAM OF TEMPORARY INTERMENT WILL BE CONSIDERED ONLY WHEN THE TACTICAL OR LOGISTICAL CONSTRAINTS DO NOT PERMIT RETURN TO CONUS; BURIAL AT SEA IS VIEWED AS A LAST RESORT.

2.B.1.C. (U) USCINCSO MUST APPROVE ALL TEMPORARY INTERMENT OR BURIAL AT SEA.

2.B.2. (U) DETAINEE REMAINS

2.B.2.A. (U) DETAINEE REMAINS WILL BE CARED FOR IN ACCORDANCE WITH REF (C) AND AS AMPLIFIED BY THE FOLLOWING PROCEDURES:

2.B.2.A.1. (U) USCINCSO WILL NOTIFY THE NATIONAL MILITARY COMMAND CENTER (NMCC) WHEN A DETAINEE DIES EITHER ENROUTE OR WHILE INCARCERATED AT NAVAL BASE GTMO. THE NMCC WILL NOTIFY THE DEPARTMENT OF STATE (DOS) AND REQUEST THAT DOS NOTIFY THE DECEDENTS HOME OF RECORD. NMCC WILL ALSO NOTIFY THE NATIONAL DETAINEE INFORMATION CENTER (NDIC). THE NDIC IS RESPONSIBLE FOR NOTIFYING THE INTERNATIONAL CHAPTER OF THE RED CROSS (ICRC) OF A DETAINEE DEATH.

2.B.2.A.2. (U) USCINCSO WILL PROVIDE A COPY OF THE DEATH CERTIFICATE TO THE NDIC AS SOON AS PRACTICAL. AT A MINIMUM THE DEATH

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CERTIFICATE WILL INCLUDE:

2.B.2.A.2.A (U) IDENTITY OF DETAINEE, INCLUDING FULL NAME, SERIAL OR OTHER IDENTIFYING NUMBER, DATE OF BIRTH, FINGERPRINTS, IF

4.A.2. (U) NAVBASE GTMO WILL INITIALLY SERVE AS COORDINATING ACTIVITY FOR ALL ASPECTS OF MORTUARY AFFAIRS. ONCE THE JTF IS ESTABLISHED AND CAPABLE OF CONDUCTING MORTUARY SERVICES NAVBASE GTMO WILL TRANSITION MORTUARY AFFAIRS RESPONSIBILITY TO THE JTF.

4.A.3. (U) JTF-160 WILL ASSUME THE MISSION AS COORDINATING ACTIVITY FOR ALL ASPECTS OF MORTUARY AFFAIRS AT GTMO AND COORDINATE DIRECTLY WITH USCINCSO JOINT MORTUARY AFFAIRS OFFICE (JMAO).

4.A.4. (U) LIMITED MORTUARY SERVICES ARE AVAILABLE AT NAVAL HOSPITAL NAVBASE GTMO.

4.B. (U) TASKS

4.B.1. (U) USCINCSO

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SECTION 2 OF 3

SUBJ:USCINCSO CONCEPT FOR MORTUARY AFFAIRS

4.B.1.A. (U) DIRECTOR OF LOGISTICS (SCJ4) WILL FORM AND CHAIR THE JMAO BOARD.

4.B.1.B. (U) DIRECTOR OF PERSONNEL (SCJ1), STAFF JUDGE ADVOCATE (SCSJA), COMMAND SURGEON (SCSG), COMMAND CHAPLAIN AND COMPONENT LIAISONS WILL PROVIDE ONE REPRESENTATIVE TO SEAT ON THE JMAO BOARD.

4.B.1.C. (U) DESIGNATE AND APPOINT AN EXECUTIVE AGENT (EA) FOR ALL ASPECTS OF MORTUARY AFFAIRS IN SUPPORT OF JTF-160.

4.B.2. (U) CINCLANTFLT

4.B.2.A. (U) PROVIDE MORTUARY SERVICES COORDINATING ACTIVITY SUPPORT THROUGH NAVBASE GTMO AND IN ACCORDANCE WITH EA GUIDELINES.

4.B.2.B. (U) BE PREPARED TO SHIFT MORTUARY AFFAIRS RESPONSIBILITY TO JTF-160.

4.B.3. (U) USCINCTRANS. BE PREPARED TO PROVIDE AIR TRANSPORTATION FOR THE RETURN OF REMAINS AND PERSONAL EFFECTS TO CONUS AND OTHER

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LOCATIONS, AS REQUIRED.

4.B.4. (U) CG USARSO

4.B.4.A. (U) ASSUME RESPONSIBILITIES AS USCINCSO EXECUTIVE AGENT FOR MORTUARY AFFAIRS IN SUPPORT OF DETAINEE OPERATIONS.

4.B.4.B. (U) AS EA, CDRUSARSO COORDINATES ALL ASPECTS OF MORTUARY AFFAIRS EXTERNAL TO JTF-160 (OUTSIDE OF NAVBASE GTMO).

4.B.5. (U) COMUSNAVSO

4.B.5.A. (U) COORDINATE SEA LIFT TRANSPORTATION FOR THE RETURN OF REMAINS AND PERSONAL EFFECTS TO CONUS.

4.B.5.B. (U) REVIEW GUIDELINES AND BE PREPARED TO PROVIDE FOR BURIAL AT SEA.

4.B.6. (U) JTF-160

4.B.6.A. (U) WHEN ESTABLISHED ASSUME MISSION OF MORTUARY AFFAIRS SUPPORT FOR ALL DETAINEES AND DEPLOYED PERSONNEL.

4.B.6.B. (U) IN COORDINATION WITH THE EA FOR MORTUARY AFFAIRS AND NAVBASE GTMO, EXECUTE DOD POLICY REGARDING THE DISPOSITION OF DECEASED DETAINEE REMAINS.

4.B.6.C. (U) IN CONJUNCTION WITH THE EA FOR MORTUARY AFFAIRS, BE PREPARED TO COORDINATE MORTUARY AFFAIRS SUPPORT WITH CIVILIAN AGENCIES PARTICIPATING IN THIS OPERATION.

FORCES SHOULD ATTEMPT TO ACCOMMODATE THE RELIGIOUS PRACTICES OF MILITARY PERSONNEL AND THOSE PERSONS IN THE CARE OF THE U.S. MILITARY. WHEN PRACTICAL AND LOGISTICALLY SUPPORTABLE, A MUSLIM DETAINEE SHOULD BE BURIED IN ACCORDANCE WITH THE FOLLOWING GUIDANCE.

4.C.9.A. (U) A MUSLIM SHOULD BE BURIED WITHIN 24 HOURS OF DEATH, IN A GRAVE THAT IS 6 FEET IN DEPTH WITH THE HEAD FACING MECCA AND MARKED WITH A STONE ABOVE THE HEAD. A DEATH CERTIFICATE SHOULD BE ISSUED AND THE FAMILY NOTIFIED AS SOON AS POSSIBLE.

4.C.9.B. (U) A MUSLIM SHOULD PERFORM THE BURIAL AND ASSOCIATED TASKS IF POSSIBLE. MOST MUSLIMS KNOW THE PRACTICES AND CAN PERFORM THE BURIAL SERVICES. AN IMAM DOES NOT HAVE TO BE INVOLVED.

4.C.9.C. (U) PREPARATION OF THE BODY

4.C.9.C.1. (U) PRESSURE IS APPLIED UPON THE ABDOMEN TO EXPEL ANY GASES.

4.C.9.C.2. (U) THE BODY IS COMPLETELY WASHED AND RINSED WITH SOAP AND WATER IN THE FOLLOWING SEQUENCE : THE RIGHT ARM AND SIDE IS

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WASHED DOWNWARD, FRONT AND BACK, TO THE RIGHT LEG AND FOOT; THIS PROCEDURE IS THEN REPEATED FOR THE LEFT SIDE; THE HEAD IS WASHED LAST. SHITES WILL PERFORM THIS WASHING THREE TIMES.

4.C.9.C.3. (U) AFTER THE BODY IS WASHED, IT IS RUBBED WITH "KAFOUD," A PLEASANT SMELLING SUBSTANCE, MUSLIM CHAPLINS SHOULD HAVE THIS PRODUCT READILY AVAILABLE.

4.C.9.C.4. (U) THE BODY IS THEN WRAPPED WITH THREE PIECES OF WHITE CLOTH. THE FIRST CLOTH IS A WRAP FROM THE WAIST DOWN TO AND INCLUDING THE FEET AND TIED OFF WITH THE REMAINING END. THIS PROCEDURE IS REPEATED WITH THE SECOND CLOTH FROM THE WAIST UP TO, AND INCLUDING THE NECK AREA. THE THIRD CLOTH WRAPS THE FACE AND HEAD.

4.C.9.C.5. (U) THE KORAN IS READ, INCLUDING SPECIAL PRAYERS FOR THE DEAD.

4.C.9.C.6. (U) THE CLOTH WRAPPED BODY IS PLACED DIRECTLY IN THE GROUND WITH THE HEAD POINTING TOWARD MECCA. NO CASKET OR BODY BAG IS TO BE USED SINCE THE WRAPPED BODY MUST TOUCH THE EARTH. DIRT IS THEN PUT ON TOP OF THE BODY TO FILL THE GRAVE. THE JTF MAY CONSIDER THE USE OF A GRAVE LINER TO PREVENT THE COLLAPSE OF THE GRAVE AS THE REMAINS DECOMPOSE.

5. (U) ADMINISTRATION AND LOGISTICS

UNCLAS

SECTION 3 OF 3

SUBJ:USCINCSO CONCEPT FOR MORTUARY AFFAIRS

5.A. (U) USCINCSO SCJ4 LRC/JMAO WILL MONITOR ALL MORTUARY AFFAIRS ACTIVITIES.

5.B. (U) EXECUTIVE AGENT WILL COORDINATE ALL ASPECTS OF MORTUARY AFFAIRS EXTERNAL TO JTF-160/NAVBASE GTMO IN SUPPORT OF THIS OPERATION.

5.C. (U) CINCLANTFLT WILL PROVIDE FOR SUPPLIES AND EQUIPMENT FOR HANDLING DECEASED U.S. PERSONNEL AND DETAINEES.

6. (U) USCINCSO POC IS

(b)(6)

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#0303

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IN JOINT OPERATIONS. REF E IS JOINT PUB 4-0, DOCTRINE FOR LOGISTIC SUPPORT OF JOINT OPERATIONS. REF F IS USSOUTHCOM REGULATION 638-1, MORTUARY AFFAIRS PROGRAM.//

NARR(U) THIS MESSAGE OUTLINES THE USCINCSO CONCEPT FOR MORTUARY AFFAIRS IN SUPPORT OF OPERATION ENDURING FREEDOM (OEF) IN THE USCINCSO AOR.//

MSGTYP/GENADMIN/USCINCSO// TIMEZONE/Z// GENTEXT/SITUATION/ 1. IN RESPONSE TO REFERENCE (A) AND (B) THE FOLLOWING CONCEPT FOR MORTUARY AFFAIRS IS SUBMITTED.

2. (U) SITUATION. MORTUARY SERVICES MAY BE REQUIRED FOR U.S. MILITARY, CIVILIAN, AND THE DETAINEE POPULATION AT NAVBASE GTMO.

2.A. (U) GENERAL

2.A.1. (U) PURPOSE. PROVIDE USCINCSO CONCEPT FOR MORTUARY AFFAIRS AND CURRENT/CONCURRENT DEATH PROGRAM IN SUPPORT OF ENDURING FREEDOM OPERATIONS (OEF) IN USCINCSO AOR.

2.B. (U) POLICY

2.B.1. (U) U.S. REMAINS (MILITARY AND NON-MILITARY) 2.B.1.A. (U) ALL US REMAINS WILL BE RETURNED TO CONUS.

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2.B.1.B. (U) A PROGRAM OF TEMPORARY INTERMENT WILL BE CONSIDERED ONLY WHEN THE TACTICAL OR LOGISTICAL CONSTRAINTS DO NOT PERMIT RETURN TO CONUS; BURIAL AT SEA IS VIEWED AS A LAST RESORT.

2.B.1.C. (U) USCINCSO MUST APPROVE ALL TEMPORARY INTERMENT OR BURIAL AT SEA.

2.B.2. (U) DETAINEE REMAINS

2.B.2.A. (U) DETAINEE REMAINS WILL BE CARED FOR IN ACCORDANCE WITH REF (C) AND AS AMPLIFIED BY THE FOLLOWING PROCEDURES:

2.B.2.A.1. (U) USCINCSO WILL NOTIFY THE NATIONAL MILITARY COMMAND CENTER (NMCC) WHEN A DETAINEE DIES EITHER ENROUTE OR WHILE INCARCERATED AT NAVAL BASE GTMO. THE NMCC WILL NOTIFY THE DEPARTMENT OF STATE AND REQUEST FOR DISPOSITION INSTRUCTIONS.

2.B.2.A.2. (U) IF IN THE OPINION OF THE JTF 160 MEDICAL OFFICER CONDUCTING THE POST DEATH MEDICAL EXAM, THAT AN AUTOPSY IS REQUIRED AN AUTOPSY TEAM WILL BE FLOWN IN TO CONDUCT THE PROCEDURE AT THE NAVAL BASE GTMO HOSPITAL. THIS ACTION WILL MOST LIKELY CAUSE THE "24 HOUR BURIAL TIME", NORMALLY ADHERED TO BY THE MUSLIM FAITH, TO BE EXCEEDED.

2.B.2.A.3. (U) THE DOS WILL CONTACT THE EMBASSY OF THE DECEDENTS HOME OF RECORD FOR DISPOSITION INSTRUCTIONS.

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2.B.2.A.4. (U) IF DETERMINATION IS MADE THAT THE U.S. WILL INTER THE DECEASED THE REMAINS WILL BE BURIED AT NAVBASE GTMO.

2.B.2.A.5. (U) DETAINEE PERSONAL EFFECTS WILL BE HANDLED IN THE SAME MANNER AS THOSE OF U.S. DECEDENTS.

3. (U) MISSION. JTF 160 CONDUCTS MORTUARY AFFAIRS SERVICES IN SUPPORT OF DETAINEE OPERATIONS. MORTUARY SERVICES INCLUDE THE SUPERVISION AND EXECUTION OF MATTERS PERTAINING TO:

4.B.5.B. (U) REVIEW GUIDELINES AND BE PREPARED TO PROVIDE FOR BURIAL AT SEA.

4.B.6. (U) JTF 160

4.B.6.A. (U) WHEN ESTABLISHED ASSUME MISSION OF MORTUARY AFFAIRS SUPPORT FOR ALL DETAINEES AND DEPLOYED PERSONNEL.

4.B.6.B. (U) IN COORDINATION WITH THE EA FOR MORTUARY AFFAIRS AND NAVBASE GTMO, EXECUTE DOD POLICY REGARDING THE DISPOSITION OF UNCLAS FOR OFFICIAL USE ONLY

SECTION 2 OF 2

SUBJ:USCINCSO CONCEPT FOR MORTUARY AFFAIRS

DECEASED DETAINEE REMAINS.

4.B.6.C. (U) IN CONJUNCTION WITH THE EA FOR MORTUARY AFFAIRS, BE PREPARED TO COORDINATE MORTUARY AFFAIRS SUPPORT WITH CIVILIAN AGENCIES PARTICIPATING IN THIS OPERATION.

4.B.6.D. (S)

(b)(1),Sec. 14(a)

4.B.6.E. (U) BE PREPARED TO ESTABLISH AND OPERATE COLLECTION POINTS AND PERSONAL EFFECTS DEPOTS.

4.B.6.F. (U) BE PREPARED TO OPERATE AND MAINTAIN MORTUARY AFFAIRS FACILITIES PROVIDED BY CINCLANTFLT.

4.C. (U) COORDINATING INSTRUCTIONS

4.C.1. (U) USCINCSO SCJ4 LRC/JMAO SHALL BE KEPT INFORMED OF ALL MORTUARY AFFAIRS ACTIVITIES REGARDING DEPLOYED U.S. FORCES AND THE

PAGE 3 RUMIAAA0860 UNCLAS
DETAINEE POPULATION.

4.C.2. (U) COMUSARSO AND THE JMAO ARE AUTHORIZED DIRECT COMMUNICATION WITH ARMED SERVICES GRAVES REGISTRATION OFFICE (ASGRO), BETHESDA MD AND THE ARMED FORCES MEDICAL EXAMINERS OFFICE (AFME), BETHESDA MD FOR OVERALL COORDINATION OF THE MORTUARY AFFAIRS PROGRAM.

4.C.3. (U) THE JMAO IS AUTHORIZED DIRECT COMMUNICATIONS WITH U.S. EMBASSY REPRESENTATIVES AND LOCAL AUTHORITIES FOR THE DISPOSITION OF REMAINS AND PERSONAL EFFECTS OF U.S. AND OTHER NATION CITIZENS WHO ARE NOT AUTHORIZED MORTUARY SERVICES AT GOVERNMENT EXPENSE.

4.C.4. (U) REMAINS OF U.S. PERSONNEL WILL BE PROCESSED UNDER THE CURRENT DEATH PROGRAM GUIDELINES FOR PERMANENT INTERMENT IN CONUS AND IN ACCORDANCE WITH REFERENCES (A) AND (D).

4.C.5. (U) USCINCSO IS THE APPROVING AUTHORITY FOR USE OF MASS BURIAL TECHNIQUES AND TEMPORARY GRAVES.

4.C.6. (U) BURIAL AT NAVBASE GTMO IS AUTHORIZED FOR DETAINEES.

4.C.7. (U) PERSONAL EFFECTS FOR U.S. MILITARY PERSONNEL SHALL BE PROCESSED PER SERVICE DIRECTIVES.

4.C.8. (U) DEATH ABOARD SHIP. WHEN DEATH OCCURS ABOARD SHIP, OR REMAINS ARE RECOVERED AND TAKEN ABOARD SHIP, THE REMAINS WILL BE PRESERVED FOR BURIAL ON LAND. BURIAL AT SEA IS PERMISSIBLE ONLY WHEN

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REFRIGERATED STORAGE FACILITIES CANNOT BE MADE AVAILABLE ABOARD SHIP AND TRANSFER TO SHORE CANNOT BE MADE IN A REASONABLE TIME, OR IS OPERATIONALLY INADVISABLE. THE SHIP'S COMMANDING OFFICER WILL SEEK

6. (U) USCINCSO POC IS

(b)(6)

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BEST COMMENT ON THAT SITE. NORMALLY A PREDETERMINED NUMBER, (CENTCOM ESTABLISHED THE NUMBER AT SIX) REMAINS ARE SENT TO THE DOVER PORT MORTUARY FOR PROCESSING.

1.A.1 (U) MORTUARY AFFAIRS PLAN SHOULD ADDRESS PERSONAL EFFECTS I.E. WHEN THE STATE DEPARTMENT CONTACTS THE DECEDENT'S EMBASSY THEY SHOULD DETERMINE THE APPROPRIATE DISPOSITION OF PERSONAL EFFECTS (PE).

PAGE 04 RUEKJCS7500 ~~CONFIDENTIAL~~

1.A.2 (U) A PERSONAL EFFECTS SECTION/DEPOT MAY BE NEEDED TO CONTROL THE DISPOSITION OF THE PE. THE DESIRE MAY BE TO BURY THE REMAINS BUT RETURN THE PE TO THE DECEDENT'S PERSON ELIGIBLE TO RECEIVE EFFECTS.

THIS IS A COMPLICATED MATTER AND COORDINATION WITH A SUBJECT MATTER EXPERT SUCH AS THE CASUALTY AND MEMORIAL AFFAIRS CENTER WOULD BE BENEFICIAL.

1.B. (U) JS LEGAL- SUBJECT TO THE FOLLOWING COMMENTS, NO LEGAL OBJECTION.

1.B.1. (C)

(b)(7)(E),(b)(1) Sec 1.4 (a)

1.B.2. (U) AS PART OF THE NOTIFICATION OF A DETAINEE'S DEATH, NOTICE WILL BE GIVEN TO THE NATIONAL DETAINEE INFORMATION CENTER (SEC ARMY IS EA AND THE ARMY G3 IS RESPONSIBLE FOR OPERATION OF THE CENTER).

ACCORDINGLY, THE NMCC SHOULD PROVIDE NOTICE TO THE NDIC AND TO DOS.

IT IS THE NDIC WHO WILL NOTIFY THE ICRC OF THE DEATH OF A DETAINEE.

FURTHER, SOUTHCOM SHOULD PROVIDE A COPY OF THE DEATH CERTIFICATE TO THE NDIC (AS PROVIDED FOR IN ARTICLE 120 OF THE GC).

PAGE 05 RUEKJCS7500 ~~CONFIDENTIAL~~ 1.B.3. (U) THE DEATH CERTIFICATE SHOULD INCLUDE AT LEAST THE FOLLOWING INFORMATION:

1.B.3.A. (U) THE IDENTITY OF THE DETAINEE, INCLUDING FULL NAME, SERIAL OR OTHER IDENTIFYING NUMBER, DATE OF BIRTH, FINGERPRINTS, IF APPLICABLE AND/OR AVAILABLE: DATE AND PLACE OF DEATH, DATE AND PLACE OF BURIAL, AND ALL PARTICULARS NECESSARY TO IDENTIFY THE GRAVE.

1.B.4. (U) LANGUAGE NEEDS TO BE CHANGED TO EITHER PROVIDE AN AUTOPSY FOR ALL DETAINEES' DEATHS OR SUFFICIENT MEDICAL EXAMINATION OF THE BODY WITH A VIEW TO CONFIRMING THE CAUSE OF DEATH.

THIS IS IMPORTANT FOR TWO REASONS--1) WANT TO PROVIDE INFORMATION ON CAUSE OF DEATH TO NEXT OF KIN, 2) DEFEND USG AGAINST ANY ALLEGATION THAT THE CAUSE OF DEATH WAS PURSUANT TO MISCONDUCT BY US FORCES.

1.B.5. (U) IN THE EVENT THAT A DETAINEE IS BURIED IN GTMO, THE LOCATION OF THE GRAVE WILL BE RECORDED WITH THE GRAVES REGISTRATION SERVICE.

1.B.6. (C)

(b)(7)(E),(b)(1) Sec 1.4 (a)

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1.B.7. (U) THE CURRENT DETAINEE MORTUARY AFFAIRS CONCERNS SOUTHCOM ONLY.

A SECTION IS A SMALL ORGANIZATION. THE CURRENT ANTICIPATED NUMBER OF DETAINEES DOES NOT WARRANT A DEPOT.

I.C.8. (C)

(b)(1), Sec. 1.4(a)

I.C.9 (U) PER 4.B.6.F. (U) BE PREPARED TO OPERATE AND MAINTAIN MORTUARY AFFAIRS FACILITIES PROVIDED BY CINCLANTFLT-DOES THIS MEAN THE TRANSFER OF THE MORTUARY'S PERSONNEL, FACILITIES, SUPPLIES AND EQUIPMENT FROM CINCLANTFLT TO SOUTHCOM? WILL SOUTHCOM MAINTAIN AND REPLACE CASKETS AND OTHER MORTUARY SUPPLIES WHILE UNDER SOUTHCOM? WHO WILL RESTOCK FOR THE TRANSFER OF THE MORTUARY BACK TO CINCLANTFLT AFTER THE DETAINEES ARE GONE?

I.C.10 (U) "ARMED SERVICES GRAVES REGISTRATION OFFICE (ASGRO)" NO LONGER EXISTS. IT SHOULD BE REPLACED BY THE CENTRAL JOINT MORTUARY AFFAIRS OFFICE (CJMAO) ALEXANDRIA, VA

I.C.11 (U) EVEN THOUGH NO CASKET OR HUMAN REMAINS POUCH IS REQUIRED UNDER ISLAMIC GUIDELINES THE USE OF A GRAVE LINER OR VAULT IS

PAGE 04 RUEKJCS7501 ~~CONFIDENTIAL~~ RECOMMENDED TO PREVENT THE COLLAPSE OF THE GRAVE AS THE REMAINS DECOMPOSE. THIS SHOULD BE THE DECISION OF THE PERSON HAVING AUTHORITY OR CONTROL OF THE CEMETERY.

I.C.12. (U) THIS MORTUARY PLAN DOES NOT ADDRESS THE DISPOSITION OF DETAINEE REMAINS THAT ARE MEDIVACED TO A CONUS MEDICAL TREATMENT FACILITY PRIOR TO DEATH. THIS SCENARIO MUST BE ADDRESSED AS IT IS THE ONE THAT PRESENTS THE HARDEST

CHALLENGES. THIS ISSUE SHOULD BE REFERRED BY SOUTHCOM TO THE CJMAO FOR RESOLUTION.

I.C.13 (U) THIS PLAN IS PRIMARILY CONCERNED WITH THE PROCESSING OF DETAINEE REMAINS. THERE ARE PASSING REFERENCES TO THE REMAINS OF US PERSONNEL. THE PLAN DOES NOT ADEQUATELY ADDRESS THE PROCESSING OF REMAINS OF US PERSONNEL. WILL THE REMAINS OF US PERSONNEL BE EMBALMED AT GTMO AND TRANSPORTED TO DOVER? WILL THE REMAINS GO TO DOVER BEFORE OR AFTER EMBALMING?

I.C.14. (U) IS THERE A NUMERIC THRESHOLD FOR PROCESSING REMAINS AT GTMO AS IN THE CENTCOM PLAN FOR LANDSTHUL?

3) TRANSCOM, J1, J2, J3, J8, JS CHAPLAIN-CONCUR W/O COMMENT.

4. THE JS/J4 OFFERS TO REVIEW SUBSEQUENT PLANS AFTER THE ENCLOSED RESPONSES HAVE BEEN CONSIDERED AND IMPLEMENTED AS NECESSARY.

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(b)(6)

AO/LOC:PENTAGON 2C828/DSN

(b)(6)

(b)(6) /SECTEL: DSN

(b)(6)

DECL/CLBY: USCINCSO; RES: 1.5 (A); DECLON: FEBRUARY 1, 2002// BT